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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
JUDITH CHERE, R.N.	:	
License # 26NO08301000	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Judith Chere ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On or about May 13, 2013, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 - May 31, 2013. Respondent answered "yes" and certified that answer by submitting the online application.
3. By letter dated September 5, 2014, the Board asked Respondent to provide proof of having completed required continuing education from her last biennial renewal period of June 1, 2011 - May 31, 2013.
4. By letter dated September 12, 2014, Respondent's attorney indicated that Respondent would follow-up with the status of her continuing education courses. However, no further response was received and no documentation was submitted indicating that Respondent had completed any of the continuing education courses.

5. On May 31, 2015, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 - May 31, 2015. Respondent was also asked whether she completed the required education on Organ and Tissue Donation. Respondent answered "yes" to both questions and certified the answers by submitting the online application.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 - May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in

turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

DISCUSSION

A Provisional Order of Discipline (POD) was filed on September 10, 2015 based upon Ms. Chere's failure to demonstrate completion of required continuing education. The POD sought a reprimand, \$250 civil penalty, and a suspension until Ms. Chere demonstrates that she is up to date with her requirements.

Ms. Chere responded to the POD and demonstrated completion of the following continuing education:

0 hours within June 1, 2011 - May 31, 2013 biennial period;
0 hours within June 1, 2013 - May 31, 2015 biennial period; and
65.5 hours within June 1 2015 - May 31, 2017 biennial period.

Ms. Chere also submitted an "Employee Training History Report" which appears to reflect in-service training completed, but does not reflect that the courses were approved or accredited as continuing education for nurses. Ms. Chere may apply 60 of the 65.5 hours recently completed to cure the deficiencies of her

previous two biennial periods and avoid suspension of her license.

The Board determined that the submitted documents warrant modification of the POD by eliminating the suspension, but maintaining the \$250 civil penalty and the reprimand. Ms. Chere had not timely completed the required continuing education and answered that she had done so on her renewal applications. 1

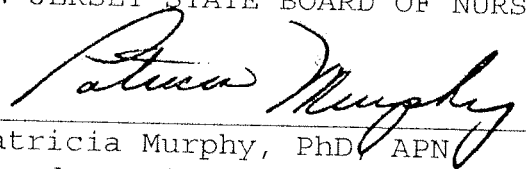
ACCORDINGLY, IT IS on this 22nd day of March, 2016,
ORDERED that:

1. Continuing education hours taken currently and applied to cure the deficiency from the previous biennial period shall not also be used to satisfy the requirements of the current biennial period.
2. A reprimand is imposed on Respondent for falsifying the continuing education information on her license renewal application.
3. Respondent is assessed a civil penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Leslie Burgos, Board

Staff, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President